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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



**NEW UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(only for new nonprovisional applications under

37 CFR 1.53(b))

Attorney Docket Number	22845-06282
First Named Inventor	Matthew D. Pierce
Title	Services based on position location using broadcast digital television signals
Express Mail Label No.	EL566109157US

<b>APPLICATION ELEMENTS</b>		<b>ACCOMPANYING APPLICATION PARTS</b>	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)	7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))		
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)		
3. <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below)	Total Pages	61	9. <input checked="" type="checkbox"/> Power of Attorney or Authorization of Agent
■ Descriptive Title of the Invention	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement		
■ Cross Reference(s) to Related Case(s)	11. <input type="checkbox"/> Preliminary Amendment		
■ Statement Regarding Fed sponsored R & D	12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 □ Copies of IDS Citation(s)		
■ Background of the Invention	13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent		
■ Brief Summary of the Invention	14. <input checked="" type="checkbox"/> Return Postcard		
■ Brief Description of the Drawing(s)	15. <input type="checkbox"/>		
■ Detailed Description	16. <input type="checkbox"/>		
■ Claim or Claims	17. <input type="checkbox"/>		
■ Abstract of the Disclosure			
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)	Total Sheets	38	
5. Oath or Declaration	6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		
a. <input checked="" type="checkbox"/> New Declaration	Total Pages	1	
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)			
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).			
c. <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 09/932,010 Prior application information: Examiner: Unassigned Group/Art Unit: 2611			
d. <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 09/887,158 Prior application information: Examiner: Unassigned Group/Art Unit: 3662			
<b>ADDRESS TO:</b> Box Patent Application Commissioner for Patents Washington, D.C. 20231			

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: 09/932,010  
Prior application information: Examiner: Unassigned Group/Art Unit: 2611

which is a  Continuation-in-part (CIP) of prior application No: 09/887,158  
Prior application information: Examiner: Unassigned Group/Art Unit: 3662

For **CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**



Customer Number and Bar Code  
Label

00758

Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent)	41,015
Signature		Date	November 8, 2001

0002/PTO(modified) Rev. 10/2001	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b>		Application Number	Unassigned
<b>TOTAL AMOUNT OF PAYMENT</b>		Filing Date	November 8, 2001
Subtotal (1) + Subtotal (2) + Subtotal (3) = <b>(\$845)</b>		First Named Inventor	Matthew D. Pierce
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	22845-06282

<b>METHOD OF PAYMENT</b>		<b>FEES CALCULATION (continued)</b>																																																																																																																																																																	
<b>1. The Commissioner is hereby authorized to:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account.</li> <li><input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †</li> <li><input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</li> </ul>		<b>3. 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Michael W. Farn	Reg. Number	41,015
Signature		Date	November 8, 2001

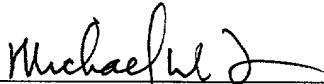
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Matthew D. Pierce
Title	Services based on position location using broadcast digital television signals	
Atty Docket Number	22845-06282	

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

November 8, 2001  
Date



Signature

Michael W. Farm, Reg. No. 41,015  
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.